

**COMBINED DECLARATION FOR PATENT APPLICATION &
POWER OF ATTORNEY**

DOCKET NO: 50623.00024

As a below named inventor, I hereby declare that:

The information given herein is true;

My residence, post office address and citizenship are as stated below next to my name;
I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if plural names are listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

Ethylene Vinyl Alcohol Composition and Coating

the specification of which (check only one item below):

- ☐ is attached hereto;
- ☒ was filed on December 28, 2000 as United States
Application Serial No. 09/750,655
and was amended on _____ (if applicable).
- ☐ was filed on _____ as PCT International
Application Serial No. _____
and was amended under PCT Article 19 _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Section 1.56(a).

I hereby claim the benefit under Title 35, United States, §119(e) of any United States provisional application(s) listed below.

(Application Serial No.)

(Filing Date)

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America having a filing date before that of the application(s) on which priority is claimed.

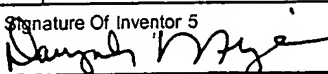

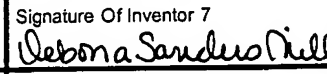
FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 (6 if a Design) MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION THE PRIORITY OF WHICH WHERE PERMITTED IS HEREBY CLAIMED UNDER 35 U.S.C. SEC. 119.

COUNTRY	APPLICATION OF NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED	
				<input type="text"/>	<input type="text"/>
				<input type="text"/>	<input type="text"/>
				<input type="text"/>	<input type="text"/>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

“Copy of Combined Declaration for Patent Application
and Power of Attorney” from
Parent Application Serial No. 09/750,655

COMBINED DECLARATION FOR PATENT APPLICATION & POWER OF ATTORNEY - Continued				ATTORNEY'S DOCKET NO: 50623.00024	
U.S. APPLICATION NO.		U.S. FILING DATE		PATENTED	
PENDING		ABANDONED			
09/390,855		09/03/99		X	
09/390,069		09/03/99		X	
09/470,559		12/23/99		X	
09/540,242		03/31/00		X	
09/621,123		07/21/00		X	
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.		PCT FILING DATE		U.S. SERIAL NUMBERS	
<p>POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.</p> <p>Marc A. Sockol, Reg. No. 40,823; Daryl C. Josephson, Reg. No. 37,365; Cameron Kerrigan, Reg. No. 44,826; Patrick D. Benedicto, Reg. No. 40,909; David B. Abel, Reg. No. 32,394; Nathan Lane, Reg. No. 43,738; Lori Howland, Reg. No. 42,671; Michael Lechter, Reg. No. 27,350; David Koo, Reg. No. 46,839; David Rogers, Reg. No. 38,287; Minda Schechter, Reg. No. 38,296; William Bachand, Reg. No. 34,980; Tim Kitchen, Reg. No. 41,900; Thomas A. Hassing, Reg. No. 36,159; Philip Yip, Reg. No. 37,265.</p>					
Send correspondence to		Squire, Sanders & Dempsey L.L.P. One Maritime Plaza, Suite 300 San Francisco, CA 94111		Direct Phone Calls To: Cameron Kerrigan: 415 954-0323	
1	FULL NAME OF INVENTOR	LAST NAME		FIRST NAME	
	MIDDLE NAME		COUNTRY OF CITIZENSHIP		
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		ZIP CODE
Cupertino		California		USA	
POST OFFICE ADDRESS		STREET		CITY	
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California		95014			
2	FULL NAME OF INVENTOR	LAST NAME		FIRST NAME	
	MIDDLE NAME		COUNTRY OF CITIZENSHIP		
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		ZIP CODE
Shah		San Jose		USA	
POST OFFICE ADDRESS		STREET		CITY	
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California		95131			
3	FULL NAME OF INVENTOR	LAST NAME		FIRST NAME	
	MIDDLE NAME		COUNTRY OF CITIZENSHIP		
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		ZIP CODE
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659 Homestead Road, Apt. #3		Sunnyvale		State or Country	
California		94087			
4	FULL NAME OF INVENTOR	LAST NAME		FIRST NAME	
	MIDDLE NAME		COUNTRY OF CITIZENSHIP		
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		ZIP CODE
Hossainy		Fremont		Bangladesh	
POST OFFICE ADDRESS		STREET		CITY	
34325 Tupelo Street		Fremont		State or Country	
California		94555			
<p>I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>					
Signature Of Inventor 1		Signature Of Inventor 2		Signature Of Inventor 3	
Signature Of Inventor 4		DATE		DATE	
Yung-Ming Chen		Ashok A. Sockol		3/7/01	
DATE		DATE		DATE	
3/7/01		3/7/01		3/7/01	

Send correspondence to		Squire, Sanders & Dempsey L.L.P. One Maritime Plaza, Suite 300 San Francisco, CA 94111		Direct Phone Calls To: Cameron Kerrigan: 415 954-0323	
5	FULL NAME OF INVENTOR	LAST NAME Mirzaee	FIRST NAME Daryush	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Sunnyvale	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 629 Ashbourne Drive	CITY Sunnyvale	STATE OR COUNTRY California	ZIP CODE 94087
6	FULL NAME OF INVENTOR	LAST NAME Mandrusov	FIRST NAME Evgenia	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Campbell	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 3834 West Rincon Avenue	CITY Campbell	STATE OR COUNTRY CA	ZIP CODE 95008
7	FULL NAME OF INVENTOR	LAST NAME Sanders-Millare	FIRST NAME Deborra	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY San Jose	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 1430 Santa Inez Drive	CITY San Jose	STATE OR COUNTRY California	ZIP CODE 95125
8	FULL NAME OF INVENTOR	LAST NAME Guruwaiya	FIRST NAME Judy	MIDDLE NAME A.	
	RESIDENCE & CITIZENSHIP	CITY San Jose	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 2074 Laddie Way	CITY San Jose	STATE OR COUNTRY California	ZIP CODE 95121
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
Signature Of Inventor 5 		Signature Of Inventor 6 		Signature Of Inventor 7 	
DATE 3/7/01		DATE 3/7/01		DATE 3-7-01	

05-08-2001

Document No.: 50623.00024

FORM PTO-1565 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101706192

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

1. Yung-Ming Chen 5. Daryush Mirzaee
2. Ashok Shah 6. Evgenia Mandrusov
3. Vinayak D. Bhat 7. Deborra Sanders Millare
4. Syed F.A. Hossainy 8. Judy A. Guruwaiya

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 1&7 4/9; 2 4/13; 3-6 4/4; 8 4/11/01

2. Name and address of receiving party(ies):

Name: Advanced Cardiovascular Systems, Inc.Address: 3200 Lakeside DriveCity: Santa ClaraState/Prov.: CACountry: USAZIP: 95054

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

09/750,65512/28/00

B. Patent No.(s)

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Cameron KerriganRegistration No. 44,826Address: Squire, Sanders & Dempsey LLPOne Maritime Plaza, Suite 300City: San FranciscoState/Prov.: CACountry: USAZIP: 94111

6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41):.....\$ 40.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

8. Deposit account number:

07-1850

05/08/2001 RAIME1 00000024 071850 07750655

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cameron Kerrigan 44,826

Name of Person Signing

Cameron Kerrigan

Signature

4/26/01

Date

3

Total number of pages including cover sheet, attachments, and

ASSIGNMENT

(1-8) *Insert Names of Inventor*

(1) Yung-Ming Chen

(5) Daryush Mirzaee

(2) Ashok Shah

(6) Evgenia Mandrusov

(3) Vinayak D. Bhat

(7) Deborra Sanders Millare

(4) Syed F.A. Hossainy

(8) Judy A. Guruwaiya

For good and valuable consideration receipt of which is hereby acknowledged, the undersigned agree(s) to assign, and hereby do(es) assign, transfer and set over to:

(9) *Insert name of Assignee*

(9) Advanced Cardiovascular Systems, Inc.

(10) *Insert state of incorporation of Assignee*

(10) California

(11) *Insert address of Assignee*

(11) of: 3200 Lakeside Drive, Santa Clara, CA 95054 (hereinafter designated as the Assignee) the entire worldwide right, title and interest in the invention known as

(12) *Insert Identification of Invention, such as Title, Case Number or Foreign Application Number*

(12) Ethylene Vinyl Alcohol Composition And Coating

(Case No. 50623.00024) (Serial No. 09/750,655) for which the undersigned has (have) executed an application for patent in United States of America

(13) *Insert Date of Signing of Application*

(13) on March 7, 2001

1) The undersigned agree(s) to execute all papers necessary in connection with the application and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and the duly constituted authorities of foreign countries to issue any and all Letters Patents resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, its successors and assigns, as Assignee of the entire right, title and interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

6) *The undersigned hereby grant(s)*

Tim Kitchen, Reg. No. 41,900; Thomas A. Hassing, Reg. No. 36,159; Philip Yip, Reg. No. 37,265; Marc A. Sockol, Reg. No. 40,823; Daryl C. Josephson, Reg. No. 37,365; Cameron Kerrigan, Reg. No. 44,826; Victoria L. Nicholson, Reg. No. 47,823; and Fariba Sirjani, Reg. No. 47,947.

the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date <u>4/9/01</u>	Name of Inventor (1) <u>Yung-Hang Chen</u>
Date <u>4/13/01</u>	Name of Inventor (2) <u>Adrian A. Sule</u>
Date <u>04/04/01</u>	Name of Inventor (3) <u>Michael</u>
Date <u>04/04/01</u>	Name of Inventor (4) <u>Stefan Sule</u>
Date <u>04/04/01</u>	Name of Inventor (5) <u>Danah M. Sule</u>
Date <u>4/4/01</u>	Name of Inventor (6) <u>Stefan</u>
Date <u>4/9/01</u>	Name of Inventor (7) <u>Deborah Sanders Millane</u>
Date <u>04/11/01</u>	Name of Inventor (8) <u>Judy A. Surunwaiz</u>